

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,
Plaintiff,
vs.
JUAN MANUEL CARDENAS-
MIRELES,
Defendant.

No. 1:10-cr-02470-PJK-1

ORDER

THIS MATTER comes on for consideration of Defendant's July 7, 2014 letter-request to reduce or modify his sentence. Doc. 70. Defendant pleaded guilty to re-entry of a removed alien and was sentenced to 96 months' imprisonment. The sentence was affirmed on appeal. United States v. Cardenas-Mireles, 446 F. App'x 991 (10th Cir. 2011). The Supreme Court denied certiorari on April 23, 2012. Cardenas-Mireles v. Untied States, 132 S. Ct. 1987 (2012).

The letter-request is not well taken and should be denied. Any § 2255 motion appears to be time-barred, 28 U.S.C. § 2255(f), and this case does not involve substantial assistance which might warrant a reduction, Fed. R. Crim. P. 35(b), a subsequently-reduced sentencing range, 18 U.S.C. § 3582(c)(2), or a motion from the Director of the Bureau of Prisons under 18 U.S.C. § 3582(c)(1). The letter-request to reduce or modify Defendant's sentence is denied.

IT IS SO ORDERED.

DATED this 22nd day of August 2014, at Santa Fe, New Mexico.



United States Circuit Judge
Sitting by Designation